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In the United States Patent and Trademark Office

Serial Number:	09/575,170
Application. Filed:	May 23, 2000
Applicant:	Paul Lapstun and Kia Silverbrook
Application. Title:	Handwritten Text Capture Via Interface Surface
Examiner/GAU:	Abbas L Abdulselam/2674
Dated	October 10, 2002
At:	Balmain NSW Australia
Docket No.	NPX011US

REPLY

Assistant Commissioner for Patents
Washington, District of Columbia 20231

Dear Sir:

Applicant thanks the Examiner for the Office Action dated 12 August 2002. However, we respectfully disagree with the Examiner's conclusions in relation to the relevance of US patent 5,491,495 (Ward et al).

We agree with the Examiner's conclusion that the stylus/tablet arrangement in Ward et al is used to interact with software running on a computer. This is achieved by providing a transparent, touch-sensitive screen that overlays a visual display unit (in the embodiment shown, a VGA adaptor).

As best shown in Figure 2, an interface processor 32 generates ink and mask planes that are MUXed with the VGA output for display on a screen. The ink and mask planes are generated on the basis of input from the stylus and pen combination. As described in the first paragraph of column 7, a standard light pen and digitising tablet perform these functions. It is further described at column 7, lines 40 to 52 (and shown in Figure 2) that location data generated by the stylus/tablet pair is interfaced to the computer system via the *tablet*, not the *stylus*. The stylus is simply used to allow the user to indicate a location on the

tablet. Once the location is determined, the tablet sends location data to the interface processor for processing.

By contrast, the present application is concerned, in its broadest form, with a system in which a sensing device determines various data from information on a surface, and then operates software in accordance with instructions associated with that data.

By way of explanation, claim 1 will now be broken down into its constituent parts, which will be compared with the disclosure of Ward et al.

(1) *A method of enabling user interaction with computer software running in a computer system* – It is admitted that this feature is disclosed in Ward et al.

(2) *via:*

an interface surface containing information relating to the computer software – The interface surface in Ward et al is a light-sensing tablet. It does not contain any information relating to computer software. Its only capability is determining an absolute location of a light pen in relation to it, and as such cannot be considered to "contain" any information at all, let alone information relating to computer software.

(3) *and including coded data indicative of a text field* – There is no "coded data" included with the interface surface in Ward et al, as is defined in claim 1 of the present application. Moreover, Ward et al make no mention of the interface surface including coded data indicative of a text field. The surface in Ward et al determines a location of the pen by detecting light from the pen. There is no suggestion that the surface includes any kind of "data", let alone "coded data indicative of of a text field". The only context in which text data is mentioned at all in Ward et al is in relation to text recognition of data that has already been input via the tablet using the stylus. However, this is not equivalent to the interface surface originally "including coded data indicative of a text field", which is the case with the present invention prior to input of data by a user.

(4) *and*

a sensing device which, when placed in an operative position relative to the interface surface, senses indicating data indicative of the text field – To begin with, the

stylus in Ward et al cannot be considered a "sensing device" in the context of the claim 1 of the present application. The stylus does not "sense" anything; "sensing" in Ward et al is accomplished by the tablet in response to light from the light pen (stylus).

Irrespective of this, Ward et al's stylus specifically fails to sense "indicating data indicative of a text field" when placed in an operative position with respect to the tablet.

(5) *and generates movement data indicative of the sensing device's movement relative to the interface surface* – it is arguable that movement data is generated in Ward et al's system when the stylus is moved relative to the tablet. However, the way in which the movement data is dealt with is quite different, as explained below in relation to the rest of claim 1.

(6) *the method including the steps of, in the computer system:*

(a) receiving the indicating data from the sensing device; - Ward et al in no way disclose indicating data (indicative of a text field) being received from the sensing device. In Ward, all data received in the computer system is from the tablet, *not* the stylus.

(7) *(b) receiving the movement data from the sensing device;* - Again, the movement data in Ward et al is sensed in, and forwarded by, the tablet, *not* the stylus. It is not even appropriate to suggest that there is some sort of indirect transmission of movement data from the stylus to the tablet to the computer system, since no such data ever exists, let alone is sensed by, the stylus in Ward et al.

(8) *(c) identifying the text field from the indicating data;* - As mentioned above, there is no disclosure of any indicating data indicative of a text field being sensed by the sensing device, so there can logically be no identification of a text field from such indicating data in Ward et al.

(9) *and*

(d) operating the computer software at least partly in reliance on the movement data, and in accordance with instructions associated with the text field. – In the absence of all the other features for the reasons discussed in paragraphs (1) to (8), it is clear the the computer software cannot be operated with any reliance on movement data or instructions

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TRANSMITTAL FORM

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First Named Inventor	Paul Lapstun
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Examiner Name	Abbas L Abdulselman
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ENCLOSURES *(check all that apply)*

- [ ] Fee Transmittal Form
- [ ] Fee Attached
- [X] Amendment / Response
- [ ] After Final
- [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
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- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
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- [ ] Response to Missing Parts under 37 CFR 1.52 or 1.53
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Remarks

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Date	October 10, 2002

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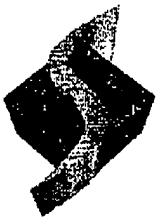

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Attached is an amendment in response to an Office Action from Examiner, Abbas L Abdulselam dated August 12, 2002.

Regards

Leonie News
Silverbrook Research Pty Ltd

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Amendment under 37 C.F.R. 111 in response to Office Action dated August 12, 2002

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